

## SEVENTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
Austin, Texas, February 5, 1913.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum present, the following Senators answering to their names:

Astin.	McGregor.
Bailey.	McNealus.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Real.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Weinert.
Hudspeth.	Westbrook.
Johnson.	Wiley.
Kauffman.	Willacy.
Lattimore.	

Absent.

Terrell. Vaughan.

Absent—Excused.

Morrow. Paulus.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Carter, the same was dispensed with.

(See Appendix for petitions and memorials and standing committee reports.)

## BILLS AND RESOLUTIONS.

By Senator Johnson:

Senate bill No. 243, A bill to be entitled "An Act to apportion the State of Texas into Senatorial Districts; to specify the county to which returns of an election shall be sent, on which the county judge shall issue certificates of an election, repealing all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Senatorial Districts.

By Senator Johnson:

Senate bill No. 244, A bill to be entitled "An Act to amend Section 2 of a special act entitled 'An Act to authorize and permit the territory situated within the bounds of the town of Floydada in the county of Floyd, and State of Texas,

and other land and territory adjacent thereto, to incorporate as an independent school district for free school purposes only, to be known as the Floydada Independent School District formed by incorporations of towns and villages for free school purposes only,' enacted by the Twenty-ninth Legislature of the State of Texas, approved the 17th day of April, 1905, so as to include in the district thus formed additional territory, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Astin:

Senate bill No. 245, A bill to be entitled "An Act to erect a monument to the memory of the soldiers and veterans of the Mexican war, in the Capitol grounds; providing appropriations therefor; providing for committee to supervise the work, and declaring an emergency."

Read first time and referred to Committee on Public Buildings and Grounds.

By Senator Lattimore:

Senate bill No. 246, A bill to be entitled "An Act to define, regulate and control fraternal beneficiary societies; defining lodge system and representative form of government; providing for the issuance of certificates and the investment and distribution of funds; limiting membership and beneficiaries in said societies; naming the duties and authority of the Commissioner of Insurance and Banking; fixing an annual license and way to cancel same; providing for the valuation of policies and how to ascertain the solvency of said societies; regulating foreign and certain domestic societies; providing that beneficiary associations heretofore organized, shall be subject to the provisions of this law; repealing Chapter 36, Acts of the First Called Session of the Thirty-first Legislature, and Chapter 22, Acts of the Second Called Session of the Thirty-first Legislature, and Chapter 92, Acts of the Regular Session of the Thirty-second Legislature, and all other laws in conflict therewith, and declaring an emergency."

Read first time and referred to Committee on Insurance, Statistics and History.

By Senator Lattimore:

Senate bill No. 247, A bill to be entitled "An Act to amend Article 3837 and to repeal Article 3838 of the Revised Statutes of 1911, prescribing the fees to be paid to the Secretary of State by mutual building and loan associations, or

either, and certain foreign corporations, and repealing so much thereof as may be in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Insurance, Statistics and History.

By Senator Weinert:

Senate bill No. 248, A bill to be entitled "An Act to provide for acquiring and acceptance of title from the city of Gonzales, Texas, to about 150 acres of land, situated in Gonzales county, Texas, and being a part of the four league grant from the State of Coahuila and Texas to the municipal town of Gonzales; and providing for fencing, beautifying and improving said land, the same to be designated by name as 'Gonzales State Park'; making an appropriation therefor, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Weinert:

Senate bill No. 249, A bill to be entitled "An Act granting to the Guadalupe Water Power Company now proposing to construct five (5) dams across the Guadalupe river, in Guadalupe county, Texas, the power, privilege and authority to erect, build, construct, maintain and operate five dams across the Guadalupe river, in Guadalupe county, Texas, and declaring an emergency."

Read first time and referred to Committee on Mining and Irrigation.

By Senator Morrow:

Senate bill No. 250, A bill to be entitled "An Act to amend Article 6953, Chapter 6, Title 119, of the Revised Civil Statutes of the State of Texas, adopted in the year 1911, relating to road superintendents; providing for an election to determine whether or not a road superintendent shall be employed, providing for the calling of such an election, and for the election of a road superintendent."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senators Morrow and Nugent:

Senate bill No. 251, A bill to be entitled "An Act to regulate the operation of pool and billiard halls and tables for profit; imposing an occupation tax upon persons, firms, corporations and associations of persons pursuing such business occupation; requiring such persons, firms, corporations and associations of persons to secure license to carry on

such business; requiring a bond of each person, firm, corporation and association of persons and prescribing the conditions of the bond thereof; defining such business or occupation, providing penalty for forfeiture of license and for the violation of the provisions of this act, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Brelsford:

Senate bill No. 252, A bill to be entitled "An Act to amend Article 650b of the Revised Statutes of the State of Texas of 1895, as enacted by the Thirtieth Legislature, and to amend subdivision 73 of Article 1121 of Title 25 of the Revised Statutes of Texas of 1911, providing that certain corporations may obtain charters or have their charters amended so as to include two or more purposes, with restrictions."

Read first time and referred to Committee on State Affairs.

By unanimous consent, after the conclusion of the morning call.

By Senator Taylor:

Senate bill No. 253, A bill to be entitled "An Act creating and incorporating the Clifton Independent School District in Bosque county, Texas, for free school purposes only, defining its boundaries, and providing for a board of trustees; their election and terms of office; and for a treasurer of said district; divesting the city of Clifton, its mayor, city council and board of trustees of the public free school within said city of the control of its public free schools, and of the title to school property of its public free schools, and of its public free schools, and of the title to school property therein and vesting same in the said Clifton Independent School District and its board of trustees; providing for the method of levying, assessing and collecting taxes in said district for the year 1913 and subsequent years; and prescribing the rights, powers, privileges and duties of said Clifton Independent School District and its board of trustees, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators Real and Weinert:

Senate bill No. 254, A bill to be entitled "An Act to amend Article 4992, Title 73 of the Revised Civil Statutes of Texas of 1911, and declaring an emergency."

Read first time and referred to Committee on Mining and Irrigation.

By Senator Weinert:

Senate bill No. 255, A bill to be entitled "An Act to establish a prison system, and declaring the policy of the State with reference thereto; to provide for the control, management and treatment of all prisoners sentenced to the penitentiary; to provide that prisoners and ex-prisoners, as herein defined, shall be permitted to testify in certain cases; to abolish the leasing and hiring of State prisoners; to provide rules and regulations for the government and conduct of such prison system; to provide for a board of Prison Commissioners; to provide for their appointment, and defining their powers, duties and authority; to provide for purchase or sale of real estate by the Prison Commission; to vest title of all real estate owned by the Prison System; to provide for the appointment of an auditor, and prescribing his duties; prescribing penalties for the violation of this act; to provide that the Prison Commission may sue; that no suit shall be filed against the Prison Commission, that no set-off, counter claim, recoupment, cross-action, plea and reconvention or claim for damages shall be allowed against a suit brought by the Prison Commission without the consent of the Legislature; prescribing penalties for exciting a convict to riot and mutiny; prescribing penalties for carrying intoxicating liquors into the penitentiaries, or any prison camp and for the sale and gift of intoxicating liquors to the convicts; repealing Chapters 1 and 2, of the Revised Civil Statutes of 1911, and all laws or parts of laws in conflict with this act, and declaring an emergency."

Read first time and referred to Committee on State Penitentiaries.

By Senator Carter:

Senate Joint Resolution No. 14, Proposing an amendment to the Constitution of the State by adding to Article 16 thereof a new section, to be known as Section 58, providing for the tenure and compensation of public officials.

Read first time and referred to Committee on Constitutional Amendments.

#### SIMPLE RESOLUTION.

By Senator Carter:

Whereas, The Hon. Felix J. McCord ex-District Judge, ex-Assistant Attorney General and former member of the Court of Criminal Appeals, is now in the city; therefore be it

Resolved, That he be invited to address the Senate and that he be accorded the privileges of the floor.

CARTER,  
VAUGHAN,  
GREER.

The resolution was read and adopted. The Chair appointed Senators Carter, Vaughan and Greer as a committee to escort the speaker to the President's stand.

Morning call concluded.

#### HOUSE BILL NO. 233.

The Chair laid before the Senate, on second reading.

House bill No. 233, A bill to be entitled "An Act to create a more efficient road system for San Jacinto county; making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners; and providing for the appointment of road overseers, and defining their duties; and providing for officers' fees and rewards for the capture of escaped convicts, when the same are worked on the public roads; and providing for the summoning of teams for road work, and for allowance of time for same; providing for penalties for the violation of this act, and repealing all laws in conflict with this act as to San Jacinto county, authorizing the commissioners court to create the office of county superintendent of public roads and bridges for said San Jacinto county, Texas; providing for his appointment, defining his duties, providing for his compensation and prescribing bond to be given by such officer; providing that delinquent poll taxpayers shall be subject to three days' road duty; providing for the condemnation of any land needed for the widening, straightening, changing for draining of roads; providing for the taking of timber, gravel, earth, stone or any other material necessary in road work, and giving persons subject to road duty the right to be relieved from discharge of such duty on payment of specific sums of money herein stipulated; and to authorize and empower the said county of San Jacinto to issue bonds for the construction and maintenance of public roads, bridges and highways within said county of San Jacinto; and to provide for a tax to create a sinking fund to pay same, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Nugent, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Astin.	McNealus.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Real.
Collins.	Taylor.
Conner.	Townsend.
Cowell.	Vaughan.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.
McGregor.	Willacy.

Absent.

Hudspeth.	Morrow.
Kauffman.	Terrell.

Absent—Excused.

Paulus.

The bill was read third time and passed by the following vote:

Yeas—24.

Astin.	McGregor.
Bailey.	McNealus.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Real.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.

Absent.

Hudspeth.	Terrell.
Kauffman.	Watson.
Morrow.	Willacy.

Absent—Excused.

Paulus.

Senator Nugent moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

# HOUSE BILL NO. 12.

The Chair laid before the Senate, on second reading,

House bill No. 12. A bill to be entitled "An Act incorporating and creating the Subinal Independent School District of Uvalde county, Texas, for free school purposes only, defining its boundaries, declaring valid all issues of bonds heretofore made, declaring valid a maintenance tax heretofore voted, and declaring an emergency."

On motion of Senator Watson, the committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Watson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Astin.	McGregor.
Bailey.	McNealus.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Real.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.

Absent.

Kauffman.	Terrell.
Morrow.	Willacy.

Absent—Excused.

Paulus.

The bill was read third time and passed by the following vote:

Yeas—27.

Astin.	McNealus.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Real.
Collins.	Taylor.
Conner.	Townsend.
Cowell.	Vaughan.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Weinert.
Hudspeth.	Westbrook.
Johnson.	Wiley.
Lattimore.	Willacy.
McGregor.	

Absent.

Kauffman. Terrell.  
Morrow.  
Absent—Excused.  
Paulus.

Senator Watson moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO. 79.

The Chair laid before the Senate, on second reading,

House bill No. 79, A bill to be entitled "An Act incorporating and creating the Murphy independent school district in Collin county, Texas, for free school purposes only, defining its boundaries, and providing for the election of a board of trustees for the raising of revenue by taxation, issuing of bonds for raising money for building purposes, and maintaining public free schools therein, vesting the property included within this act in said Murphy Independent School District, and vesting said district and the board of trustees thereof, with all the rights, powers, privileges and duties conferred and imposed by general laws upon independent school districts, and the board of trustees thereof, formed by the incorporation of towns and villages for free school purposes only under the general law, declaring valid a maintenance tax heretofore voted, and declaring an emergency."

The bill was read, and on motion of Senator Westbrook the committee report, which provided that the bill be not printed, was adopted.

Senator Westbrook offered the following amendment, which was read and adopted:

Amend House bill No. 79, by adding Section 5a, to read as follows:

"Section 5a. The local school maintenance tax heretofore authorized in the Murphy Common School District by a majority vote of the tax payers thereof, shall be levied, assessed and collected for the current year as heretofore, and when collected shall be paid to the proper depository and credited to the Murphy Independent School District created by this act; provided, that the trustees of the Murphy Independent School District shall continue to maintain a school in the Dublin school house for so long a time as said trustees deem it necessary, and the Dublin school house shall be

kept in good repair so long as a school shall be maintained therein; provided, further, that the school house and grounds of the Murphy Common School District shall be deeded to the Murphy Independent School District and shall become the property thereof."

The bill was read second time and passed to third reading.

On motion of Senator Westbrook, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Astin.	McGregor.
Bailey.	McNealus.
Brelsford.	Murray.
Carter.	Nugent.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Westbrook.
Johnson.	Wiley.
Kauffman.	Willacy.
Lattimore.	

Absent.

Collins.	Terrell.
Morrow.	Weinert.
Real.	

Absent—Excused.

Paulus.

The bill was read third time and passed by the following vote:

Yeas—26.

Astin.	McGregor.
Bailey.	McNealus.
Brelsford.	Murray.
Carter.	Nugent.
Cowell.	Taylor.
Conner.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Weinert.
Johnson.	Westbrook.
Kauffman.	Wiley.
Lattimore.	Willacy.

Absent.

Collins.	Real.
Morrow.	Terrell.

Absent—Excused.

Paulus.

Senator Westbrook moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### HOUSE BILL NO. 96.

The Chair laid before the Senate, on second reading,

House bill No. 96, A bill to be entitled "An Act creating an independent school district to be known as Calallen Independent School District and to provide for the creation of a board of trustees thereof and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor, and to pay current expenses for the maintenance and support of said schools and further prescribing the duty and authority of said board and repealing all laws in conflict herewith, and declaring an emergency."

The bill was read, and on motion of Senator Willacy the committee report, which provided that the bill be not printed, was adopted.

The bill was read second time, and passed to third reading.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

#### Yeas—24.

Astin.	McGregor.
Bailey.	McNealus.
Carter.	Nugent.
Collins.	Taylor.
Conner.	Townsend.
Cowell.	Vaughan.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Weinert.
Hudspeth.	Westbrook.
Johnson.	Wiley.
Lattimore.	Willacy.

#### Absent.

Brelsford.	Murray.
Kauffman.	Real.
Morrow.	Terrell.

#### Absent—Excused.

Paulus.

The bill was read third time and passed by the following vote:

#### Yeas—23.

Astin.	McNealus.
Bailey.	Nugent.
Carter.	Taylor.
Collins.	Townsend.
Conner.	Vaughan.
Cowell.	Warren.
Darwin.	Watson.
Gibson.	Weinert.
Greer.	Westbrook.
Hudspeth.	Wiley.
Johnson.	Willacy.
Lattimore.	

#### Absent.

Brelsford.	Murray.
Kauffman.	Real.
McGregor.	Terrell.
Morrow.	

#### Absent—Excused.

Paulus.

Senator Willacy moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

#### HOUSE BILL NO. 231.

The Chair laid before the Senate, on second reading and regular order,

House bill No. 231, A bill to be entitled "An Act to abolish the Eddy Independent School District, created under the General Laws of the State of Texas, and to incorporate the Eddy Independent School District to be within certain boundaries at and surrounding the town of Eddy in McLennan county, Texas; investing said independent school district and the board of school trustees thereof with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the General Laws, and declaring an emergency."

Senator Taylor moved that the bill lay on the table subject to call.

The motion prevailed.

#### SENATE BILL NO. 21.

On motion of Senator Weinert, and by unanimous consent, the special order of business, Senate bill No. 4, was suspended, and the Senate took up, out of its order, Senate bill No. 21.

The Chair laid before the Senate, on third reading,

Senate bill No. 21, A bill to be entitled "An Act to amend Article 615, Title 11, Chapter 8 of the Penal Code of the State of Texas, Revised Criminal Statutes, 1911."

The bill was read third time and passed by the following vote:

Yeas—24.

Astin.	Lattimore.
Bailey.	McNealus.
Brelsford.	Nugent.
Carter.	Real
Collins.	Taylor.
Conner.	Townsend.
Cowell.	Vaughan.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Weinert.
Hudspeth.	Westbrook.
Johnson.	Wiley.

Absent.

Kauffman.	Murray.
McGregor.	Terrell.
Morrow.	Willacy.

Absent—Excused.

Paulus.

Senator Weinert moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 4.

The Chair laid before the Senate, on second reading, and special order,

Senate bill No. 4, A bill to be entitled "An Act to prevent the pollution of the water courses or other public bodies of water of the State of Texas, providing a penalty therefor, and providing means for the abatement thereof."

The bill was read, and Senator McNealus moved to lay the bill on the table, subject to call.

The motion prevailed.

#### SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Gibson:

Be it Resolved, That Hon. Trav Henderson of Lamar county, a Democratic warhorse and former member of this body, be invited to address the Senate

and be accorded the privileges of the floor.

GIBSON.  
HUDSPETH.  
LATTIMORE.

The resolution was read and adopted, and the Chair appointed the signers of the resolution as a committee to escort the speaker to the President's stand.

#### SENATE BILL NO. 22.

The Chair laid before the Senate, on second reading, and special order for this hour,

Senate bill No. 22, A bill to be entitled "An Act amending Chapter 104 of the General Laws, passed by the Thirty-second Legislature at its Regular Session, by adding at the end of Section 2, Sections 2a and 2b: prescribing additional duties for the State Inspector of Masonry, Public Buildings and Works, and providing for the appointment of assistants by him, defining their duties and fixing their compensation, and declaring an emergency."

Action recurred on the committee report, which was adverse, with favorable substitute for the bill.

Senator Hudspeth moved to adopt the committee report, which motion prevailed.

Senator Darwin offered the following amendment, which was read and adopted:

On page 5, line 4, amend by adding after the word "State" the words "works in course of construction and soon to be under construction," these words to precede the words, "and plans" on line 6.

Senator McGregor moved that further action on the bill be postponed indefinitely.

Senator Hudspeth moved to table the motion to postpone, which motion to table prevailed.

The bill was read second time and ordered engrossed.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Astin.	Darwin.
Bailey.	Gibson.
Carter.	Greer.
Collins.	Hudspeth.
Conner.	Johnson.
Cowell.	Kauffman.

Lattimore.	Vaughan.
McNealus.	Warren.
Murray.	Watson.
Nugent.	Weinert.
Real	Westbrook.
Taylor.	Wiley.
Townsend.	

Nays—1.

McGregor.

Absent.

Brelsford.  
Morrow.

Terrell.  
Willacy.

Absent—Excused.

Paulus.

The bill was read third time and  
passed by the following vote:

Yeas—24.

Astin.	Kauffman.
Bailey.	Lattimore.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Taylor.
Conner.	Townsend.
Cowell.	Vaughan.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Weinert.
Hudspeth.	Westbrook.
Johnson.	Wiley.

Nays—1.

McGregor.

Absent.

McNealus.	Terrell.
Morrow.	Willacy.
Real	

Absent—Excused.

Paulus.

Senator Hudspeth moved to reconsider  
the vote by which the bill was passed  
and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 65.

On motion of Senator Murray, and by  
unanimous consent, the pending order of  
business, Senate bill No. 51, was sus-  
pended and the Senate took up, out of  
its order, Senate bill No. 65.

The Chair laid before the Senate, on  
second reading,

Senate bill No. 65, A bill to be entitled  
"An Act appropriating money to erect  
new buildings at the State Insane  
Asylum, located at Austin; the South-  
western Insane Asylum, located at San

Antonio, and the Epileptic Colony, lo-  
cated at Abilene, and for the erection of  
buildings for the care and accommoda-  
tion of feeble-minded children."

The bill was read, and Senator Nugent  
offered the following amendment:

Amend the bill by striking out Sec-  
tions 3 and 4 thereof, and strike out the  
figures "\$225,000" in line 13, page 1, of  
the bill, and substitute instead thereof,  
"\$200,000."

Pending.

Pending discussion Senator Warren  
moved that the bill and amendments be  
laid on the table subject to call, after  
the various committees of the Finance  
Committee have made their tour of in-  
spection of the various institutions.

By permission, Senator Hudspeth of-  
fered the following proposed amendment:

Amend the bill, page 1, by adding  
after the word "named," line 28, the  
following: "plans to be prepared by com-  
petent architects," and strike out the  
words, "competent architects" in line 29,  
and insert the words, "State Inspector of  
Masonry."

WILEY.  
HDDSPETH.

Pending.

The motion to defer action on the bill  
was adopted.

## ADJOURNMENT.

On motion of Senator Townsend the  
Senate, at 12:30 o'clock adjourned until  
10 o'clock tomorrow morning.

## APPENDIX.

## COMMITTEE REPORTS.

(Floor Report.)

Austin, Texas, February 5, 1913.

Hon. Will H. Mayes, President of the  
Senate.

Sir: Your Committee on Educational  
Affairs, to whom was referred

Senate bill No. 253, A bill to be entitled  
"An Act, creating and incorporating the  
Clifton Independent School District in  
Bosque county, Texas, for free school  
purposes only, defining its boundaries,  
and providing for a board of trustees,  
their election and terms of office, and for  
a treasurer of said district; divesting the  
city of Clifton, its mayor, city council  
and board of trustees of the public free  
schools within said city of the control  
of its public free schools, and of the  
title to school property therein, and vest-  
ing the same in the said Clifton Inde-



pendent School District and its board of trustees; providing for the method of levying, assessing and collecting taxes in said district for the year 1913, and subsequent years; and prescribing the rights, powers, privileges and duties of said Clifton Independent School District, and its board of trustees, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Johnson, Chairman; Cowell, Darwin, Weinert, Real, Wiley, Gibson, Astin.

Committee Room,

Austin, Texas, February 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Substitute Senate bill No. 21, A bill to be entitled "An Act to amend Article 615, Title 11, Chapter 8, of the Penal Code of the State of Texas, Revised Criminal Statutes, 1911."

And find same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, February 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 38, A bill to be entitled "An Act defining livestock commission merchants, requiring such merchants to give bond, imposing penalty for pursuing occupation of livestock commission merchant when bond has not been made; providing that suits may be brought on such bonds; fixing the venue of such suits, repealing all laws in conflict, and declaring an emergency."

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, February 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 98, A bill to be entitled "An Act to amend Articles 1070, 1071, 1072, 1073, 1074, 1075 and 1076, of Title

22, of Chapter 15, of the Revised Statutes of Texas, of 1911, and to add to said Chapter, Article 1076a, all of said Articles relating to and regulating the adoption of the commission form of government by cities and towns and towns and villages, and declaring an emergency."

And find the same correctly engrossed.  
BRELSFORD, Chairman.

Committee Room,

Austin, Texas, February 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 70, A bill to be entitled "An Act to amend the Revised Civil Statutes of the State of Texas adopted at the Regular Session of the Thirty-second Legislature so as to add thereto after Article 3078, Article 3078a, providing for the nomination of candidates for President and Vice President of the United States, and party political electors, and the election of delegates to the National Convention of the respective political parties of this State, to be chosen by direct preferential primary, and providing an emergency."

And find the same correctly engrossed.  
BRELSFORD, Chairman.

Committee Room,

Austin, Texas, February 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 26, A bill to be entitled "An Act to establish the Central West Texas Normal College, providing that the State Board of Education shall control the same, and making an appropriation therefor, and declaring an emergency."

And find the same correctly engrossed.  
BRELSFORD, Chairman.

Committee Room,

Austin, Texas, February 4, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Public Health, to whom was referred

Senate bill No. 168, A bill to be entitled "An Act to regulate the practice of dentistry in the State of Texas; to provide for the appointment of a board of dental examiners, prescribing their du-

tics and to repeal all laws and parts of laws in conflict with this act,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

KAUFFMAN, Chairman.

Committee Room,

Austin, Texas, February 4, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A majority of your Committee on Public Health, to whom was referred Senate bill No. 27, A bill to be entitled "An Act making it unlawful to sell or barter medicine carried for sale in a wagon, automobile or other vehicle or on foot or horseback, or to leave any medicine at any residence or consignment, prescribing a penalty therefor, repealing all laws in conflict therewith and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,

Austin, Texas, February 4, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A minority of your Committee on Public Health, to whom was referred Senate bill No. 27, have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do not pass.

COLLINS.

Committee Room,

Austin, Texas, February 4, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 233, A bill to be entitled "An Act adding to and making part of the Slaton Independent School District of Lubbock county certain lands and territory adjoining thereto situate in Lubbock county, and adding thereto and making part thereof certain lands and territory adjoining thereto situate in Lynn county all for school purposes; giving the board of trustees of said district power and jurisdiction over said lands and territories and the inhabitants thereof; requiring such board of trustees to levy, assess, collect and pay in to the county treasury annually proportional part of a certain bond tax exist-

ing on part of said territory; validating the incorporation proceedings of said independent school district,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

JOHNSON, Acting Chairman.

Committee Room,

Austin, Texas, February 4, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 229, A bill to be entitled "An Act creating and establishing the Angleton Independent School District, in Brazos county, Texas, and defining its boundaries, providing for its management and control under the general laws relating to independent school districts, and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

JOHNSON, Acting Chairman.

Committee Room,

Austin, Texas, February 4, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 203, A bill to be entitled "An Act fixing the number of members constituting the governing boards of the University of Texas, the Agricultural and Mechanical College of Texas, the College of Industrial Arts for Women, and the State Normal Schools; fixing the terms of office of the members and the manner of their appointment; providing for overlapping terms; and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

JOHNSON, Acting Chairman.

Committee Room,

Austin, Texas, February 4, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 231, A bill to be entitled "An Act to abolish the Eddy Independent School District, created under the General Laws of the State of Texas, and to

incorporate the Eddy Independent School District to be within certain boundaries at and surrounding the town of Eddy, McLennan county, Texas; investing said independent school district and the boards of school trustees thereof with the rights, powers, privileges, and duties of a town or village incorporated for free school purposes only, under the General Laws, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

JOHNSON, Acting Chairman.

Committee Room,

Austin, Texas, February 4, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 159, A bill to be entitled "An Act to amend Section 116, of Chapter 96, Acts of Regular Session of the Thirty-second Legislature, being 'An Act to amend Sections 114, 115, 116, 117, 118, 119, 120 and 121 of Chapter 124 of the Acts of the Twenty-ninth Legislature, as amended by Chapter 7 of the Second Called Session of the Thirty-first Legislature, and repealing Sections 105, 106, 107, 108, 109, 110, 125 and 126 of Chapter 124 of the Acts of the Twenty-ninth Legislature, and Chapters 68 and 149, of the Acts of the Thirtieth Legislature, relating to teachers' certificates, and declaring an emergency,' so as to permit the issuance of State first grade certificates to persons who have done certain required work in the standard junior colleges of Texas,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

JOHNSON, Acting Chairman.

#### PETITIONS AND MEMORIALS.

By Senator Nugent:

The following letter:

Cold Springs, Texas, February 3, 1913.

Hon. C. W. Nugent and Hon. F. O. Fuller,  
Austin, Texas.

Gentlemen: I see a bill introduced in the Legislature to cause all State banks to increase their capital stock to \$20,000.00. I take this opportunity to express my desire that it be defeated.

29—S

A small place like this can support a \$10,000.00 bank, but a bank double that amount would not pay. In the first place the deposits are not enough to justify it. It would cost more to run it and in the long run the rate of interest would be increased or else it would be a concern without profit.

Also in small places that amount of money could not be raised to organize banks and the people would still be at the mercy of the credit men. As it is here the farmer gets his money from the bank and is independent of the credit man. The country is better off than it has been for years. As the law now compels each bank to lay aside a certain amount of its profits each year in surplus. So while the dividends or profits seem to be large when you would find it different if you computed the interest on the surplus as well as the capital stock.

Hoping these remarks will be in keeping with your ideas, I am,

Yours truly,

D. M. CALDWELL.

By Lieutenant Governor Will H. Mayes:

Telegrams endorsing the woman's property rights bill signed by the following executive officers of respective district woman's federation club organizations: Mrs. E. L. Burton, McKinney; Mrs. Chas. T. Bonner, Tyler; Mrs. J. I. McDowell, Big Springs; Mrs. A. B. Peticolos, Victoria.

By Senators Cowell, Astin, Murray, Collins, Lieutenant Governor Will H. Mayes, Westbrook, Darwin, Nugent and Hudspeth:

Numerously signed petitions protesting against passage of legislation placing high licenses on rural wagon salesmen of medicines, stock foods, etc.

By Senator Murray:

Numerously signed petition by citizens of Wilson county, asking legislation for quail protection for a period of five years.

By Senator Lattimore:

Petition numerously signed by merchants and business men of Granbury, Texas, requesting support of the House bill known as the "Bogus Check Bill."

College Station, Texas, Jan. 27, 1913.

Dr. R. A. Braswell, Fort Worth, Texas.

Dear Sir: I have read in recent newspapers—and with considerable amuse-

ment—your recent communication to Senators Murray, Hudspeth and Willacy in which you poke fun at the Legislature for proposing to pass legislation for the protection of the honey bee.

As a classic in humorous literature your communication is a howling success, but I venture to express the opinion that it does not, at the same time, reflect creditably upon your knowledge of one of the important industries of Texas.

In view of your interest in the subject, you may be interested in learning that a considerable number of good citizens in Texas derive incomes of from \$2,000 to \$5,000 per annum from their honey bees, that several hundred more follow beekeeping as a sole means of livelihood, and still thousands of others add very perceptibly to their annual incomes by keeping bees in a small way.

The capital invested in beekeeping in Texas is upwards of two millions of dollars and Texas annually produces more honey than any other State in the Union.

An industry that can make as good a showing as this is certainly entitled to a little protection at the hands of the Legislature. Unfortunately, the bees are subject to a contagious bacterial disease, known as foul brood, which is very fatal, and it is for the purpose of fighting this disease that the legislation is proposed.

That honey bees can be cured of disease, and that their hives, combs, etc., can be disinfected in just as efficient a manner as human habitations are disinfected by the medical profession, is fully attested by the work done by this office in eradicating diseases of honey bees during the past two years. During the last fiscal year my inspectors have examined 31,819 colonies of bees in this State, finding among them 283 cases of contagious disease. Two hundred and thirty of these cases were completely cured by the treatment we gave them. The 31,819 colonies protected from disease during this period represent a valuation and investment of more than \$300,000.

In conclusion I may state, on behalf of the bees, that they are far too busy making honey, and money for the owners, to waste time disinfecting their stings before applying them to meddlesome humans who wax facetious at their expense.

You should get acquainted with the bee at closer range. Very truly yours,  
WILMON NEWELL,  
State Entomologist.

The above was read and, by request of Senator Murray, was ordered printed in the Journal.

## EIGHTEENTH DAY.

Senate Chamber,

Austin, Texas,

Thursday, February 6, 1913.

The Senate met pursuant to adjournment and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum was present, the following Senators answering to their names:

Astin.	McNealus.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Weinert.
Johnson.	Westbrook.
Kauffman.	Wiley.
Lattimore.	Willacy.
McGregor.	

Absent.

Morrow.

Absent—Excused.

Paulus.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday the same was dispensed with on motion of Senator Carter.

(See Appendix for petitions and memorials and standing committee reports.)

## EXCUSED.

On account of important business:

Senator Terrell, for non-attendance on yesterday, on motion of Senator Willacy.

## SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Carter:

Whereas, It is again good to look upon the face of the ex-Senator from Lamar, Hon. B. B. Sturgeon, a Democrat, statesman and patriot; and

Whereas, He is now visiting in the city and his old friends will be delighted to again hear his well-recognized voice in the Senate Chamber; therefore be it

Resolved, That he be invited to address the Senate and the courtesies of the floor be extended to him.